

33 CFR Part 100

[CGD 05-95-048]

Special Local Regulations for Marine Events; Barnegat Bay Classic; Toms River, NJ

AGENCY: Coast Guard, DOT.

ACTION: Notice of implementation.

SUMMARY: This notice announces that 33 CFR 100.502 will be in effect for the Barnegat Bay Classic, an annual event to be held on August 26, 1995 in Barnegat Bay, between Island Beach and the mainland. These special local regulations are needed to provide for the safety of the participants and spectators on navigable waters during this event. This rule will restrict general navigation in the regulated area.

EFFECTIVE DATES: The regulations in 33 CFR 100.502 are effective from 9:30 a.m. to 5 p.m., August 26, 1995. If the event is postponed due to weather conditions, 33 CFR 100.502 is effective from 9:30 a.m. to 5 p.m., August 27, 1995.

FOR FURTHER INFORMATION CONTACT:

Stephen L. Phillips, Chief, Boating Affairs Branch, Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004 (804) 398-6204, or Commander, Coast Guard Group Cape May (609) 884-6981.

SUPPLEMENTARY INFORMATION:

Drafting Information: The drafters of this notice are QM1 Gregory C. Garrison, project officer, Boating Affairs Branch, Boating Safety Division, Fifth Coast Guard District, and CDR Thomas R. Cahill, project attorney, Fifth Coast Guard District Legal Staff.

Discussion of Rule

On August 26, 1995, the United States Offshore Racing Association will hold the Barnegat Bay Classic in Barnegat Bay between Island Beach and the mainland. If weather conditions do not allow the Barnegat Bay Classic to be held on August 26, 1995, it will be held, weather permitting, on August 27, 1995. The event will consist of approximately fifty to sixty powerboats, ranging from 24 to 36 feet in length, racing on a designated course within the regulated area described in 33 CFR 100.502(a). To enhance the safety of the participants in and spectators of the Barnegat Bay Classic, Commander, Fifth Coast Guard District is placing 33 CFR 100.502 in effect during this event. Although this rule will restrict general navigation within the designated area, waterborne traffic will not be severely disrupted because the Intracoastal Waterway will remain open for passage.

Dated: August 11, 1995.

W.J. Ecker,

Rear Admiral, U.S. Coast Guard Commander,
Fifth Coast Guard District.

[FR Doc. 95-20942 Filed 8-23-95; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 100

[CGD 09-95-024]

Special Local Regulation; 1995 Offshore Series Grand Prix, Lake Erie, Geneva-on-the-Lake, OH

AGENCY: Coast Guard, DOT.

ACTION: Temporary rule.

SUMMARY: A special local regulation is being adopted for the 1995 Offshore Series Grand Prix. This event will be held on Lake Erie, Geneva-on-the-Lake, OH, on September 10, 1995. The Geneva Offshore Grand Prix will have an estimated 30 offshore race boats racing a closed course race on Lake Erie which could pose hazards to navigation in the area. This regulation will restrict general navigation on Lake Erie between Cowles Creek and the Redbrook Boat Club and is needed to provide for the safety of life, limb, and property on navigable waters during the event.

EFFECTIVE DATE: This regulation is effective from 11 a.m. until 3 p.m. September 10, 1995.

FOR FURTHER INFORMATION CONTACT:

Marine Science Technician Second Class Jeffrey M. Yunker, Ninth Coast Guard District, Aids to Navigation and Waterways Management Branch, Room 2083, 1240 East Ninth Street, Cleveland, Ohio 44199-2020, (216) 522-3990.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a Notice of Proposed Rulemaking has not been published for this regulation and good cause exists for making it effective in less than 30 days from the date of publication. Following normal rulemaking procedures would have been impracticable. The application to hold this event was not received by the Commander, Ninth Coast Guard District, until August 3, 1995, and there was not sufficient time remaining to publish a proposed final rule in advance of the event. The Coast Guard has decided to proceed with a temporary rule for this year's event and publish a NPRM, as part of the Great Lakes annual marine events list, prior to next year's event.

Drafting Information: The drafters of this notice are Lieutenant Junior Grade Byron D. Willeford, Project Officer, Ninth Coast Guard

District, Aids to Navigation and Waterways Management Branch, and Lieutenant Charles D. Dahill, Project Attorney, Ninth Coast Guard District Legal Office.

Discussion of Regulation

The Geneva Offshore Grand Prix will be held on Lake Erie between Cowles Creek and the Redbrook Boat Club on September 10, 1995. This event will have an estimated 30 offshore race boats racing a closed course race on Lake Erie which could pose hazards to navigation in the area. The effect of this regulation will be to restrict general navigation on that portion of Lake Erie, in an area rectangular in shape, from the mouth of Cowles Creek, east along the shoreline approximately 4.4 statute miles, extending offshore approximately 0.7 statute mile, for the safety of spectators and participants. This regulation is necessary to ensure the protection of life, limb, and property on navigable waters during this event. Any vessel desiring to transit the regulated area may do so only with prior approval of the Patrol Commander (Officer in Charge, U.S. Coast Guard Station Ashtabula, OH).

This regulation is issued pursuant to 33 U.S.C. 1233 as set out in the authority citation for all of Part 100.

Federalism Implications

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the rulemaking does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard is conducting an environmental analysis for this event pursuant to section 2.B.2.c of Coast Guard Commandant Instruction M16475.1B, and the Coast Guard Notice of final agency procedures and policy for categorical exclusions found at (59 FR 38654; July 29, 1994).

Economic Assessment and Certification

This regulation is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this regulation to be so minimal that a full Regulatory Evaluation under paragraph

10e of the regulatory policies and procedures of the DOT is unnecessary.

Collection of Information

This regulation will impose no collection of information requirements under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

Temporary Regulation

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations, is amended as follows:

1. The authority citation for Part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46 and 33 CFR 100.35.

2. A temporary section 100.35–T09–024 is added to read as follows:

§ 100.35–T09–024 1995 Offshore Series Grand Prix, Lake Erie, Geneva-on-the-Lake, OH.

(a) *Regulated area:* That portion of Lake Erie from:

<i>Latitude</i>	<i>Longitude</i>
41°51.5' N	080°58.2' W, thence to
41°52.4' N	080°53.4' W, thence to
41°53.0' N	080°53.4' W, thence to
41°52.2' N	080°58.2' W, thence to
41°51.5' N	080°58.2' W, thence to

Datum: NAD 83

(b) *Special local regulation:* This section restricts general navigation in the regulated area for the safety of spectators and participants. Any vessel desiring to transit the regulated area may do so only with prior approval of the Patrol Commander.

(c) *Patrol commander:*

(1) The Coast Guard will patrol the regulated area under the direction of a designated Coast Guard Patrol Commander (Officer in Charge, U.S. Coast Guard Station Ashtabula, OH). The Patrol Commander may be contacted on channel 16 (156.8 MHz) by the call sign "Coast Guard Patrol Commander."

(2) The Patrol Commander may direct the anchoring, mooring, or movement of any boat or vessel within the regulated area. A succession of sharp, short signals by whistle or horn from vessels patrolling the area under the direction of the U.S. Coast Guard Patrol Commander shall serve as a signal to stop. Any vessel so signaled shall stop and shall comply with the orders of the Patrol Commander. Failure to do so may result in expulsion from the area, citation for failure to comply, or both.

(3) The Patrol Commander may establish vessel size and speed limitations and operating conditions.

(4) The Patrol Commander may restrict vessel operation within the regulated area to vessels having particular operating characteristics.

(5) The Patrol Commander may terminate the marine event or the operation of any vessel at any time it is deemed necessary for the protection of life, limb, or property.

(6) All persons in the area shall comply with the orders of the Coast Guard Patrol Commander.

(d) *Effective Date:* This section is effective from 11 a.m. until 3 p.m. on September 10, 1995, unless extended or terminated sooner by the Coast Guard Group Commander, Buffalo, NY.

Dated: August 11, 1995.

G.F. Woolever,

Rear Admiral, U.S. Coast Guard Commander, Ninth Coast Guard District.

[FR Doc. 95–20943 Filed 8–23–95; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[FRL–5282–6]

Tennessee; Final Authorization of Revisions to State Hazardous Waste Management Program

AGENCY: Environmental Protection Agency.

ACTION: Immediate final rule.

SUMMARY: Tennessee has applied for final authorization of revisions to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). Tennessee's revisions consist of the provisions contained in rules promulgated between January 26, 1983, and June 30, 1986, otherwise known as the Non-HSWA requirements prior to Non-HSWA Cluster I and Non-HSWA Clusters I and II. These requirements are listed in Section B of this notice. The Environmental Protection Agency (EPA) has reviewed Tennessee's applications and has made a decision, subject to public review and comment, that Tennessee's hazardous waste program revisions satisfy all of the requirements necessary to qualify for final authorization. Thus, EPA intends to approve Tennessee's hazardous waste program revisions. Tennessee's applications for program revisions are available for public review and comment.

DATES: Final authorization for Tennessee's program revisions shall be effective October 23, 1995, unless EPA publishes a prior **Federal Register** action withdrawing this immediate final rule. All comments on Tennessee's program revision applications must be received by the close of business, September 25, 1995.

ADDRESSES: Copies of Tennessee's program revision applications are available during normal business hours at the following addresses for inspection and copying: Tennessee Department of Environment and Conservation, 5th Floor, L & C Tower, 401 Church Street, Nashville, Tennessee 37243–1535; U.S. EPA Region 4, Library, 345 Courtland St. NE, Atlanta, Georgia 30365; (404) 347–4216. Written comments should be sent to Al Hanke at the address listed below.

FOR FURTHER INFORMATION CONTACT: Al Hanke, Chief, State Programs Section, Waste Programs Branch, Waste Management Division, U.S. Environmental Protection Agency, 345 Courtland Street, NE, Atlanta, Georgia 30365; (404) 347–2234.

SUPPLEMENTARY INFORMATION:

A. Background

States with final authorization under Section 3006(b) of the Resource Conservation and Recovery Act ("RCRA" or "the Act"), 42 U.S.C. 6926(b), have a continuing obligation to maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the Federal hazardous waste program. In addition, as an interim measure, the Hazardous and Solid Waste Amendments of 1984 (Pub. L. 98–616, November 8, 1984, hereinafter "HSWA") allows States to revise their programs to become substantially equivalent instead of equivalent to RCRA requirements promulgated under HSWA authority. States exercising the latter option receive "interim authorization" for the HSWA requirements under Section 3006(g) of RCRA, 42 U.S.C. 6926(g), and later apply for final authorization for the HSWA requirements.

Revisions to State hazardous waste programs are necessary when Federal or State statutory or regulatory authority is modified or when certain other changes occur. Most commonly, State program revisions are necessitated by changes to EPA's regulations in 40 CFR Parts 260–268 and 124 and 270.

B. Tennessee

Tennessee initially received final authorization for its base RCRA program effective on February 5, 1985. Tennessee